

HOUSE BUDGET & RESEARCH OFFICE

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HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

* The House will reconvene for its 23rd Legislative Day on Monday, February 25, at 1:00 PM.

* 6 bills are expected to be debated on the floor.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Friday, February 22, 2013

22nd Legislative Day

TODAY ON THE FLOOR

MOTIONS TO DISAGREE & INSIST

HB 105 - Supplemental appropriations; State Fiscal Year July 1, 2012 - June 30, 2013

- BILL SUMMARY: The Amended Fiscal Year 2013 budget totals \$19.3 billion in state funds and provides for a Mid-year adjustment for Education of \$172.7 million. The revenue estimate for this cycle has been reduced by \$26.3 million in state funds to reflect an estimated 3.9% growth in revenues for the year ending June 30, 2013.

- **Authored By:** Rep. David Ralston of the 7th

- **House Committee:** Appropriations

- *This motion to insist creates the appointment of a Conference Committee with the Senate*

RULES CALENDAR

HB 83 - Mortgage broker licensing requirements; licensed real estate brokers and salespersons assisting in a short sale real estate transaction; exempt

- BILL SUMMARY: House Bill 83 amends the Georgia Code as it relates to the licensing of mortgage lenders and brokers by providing an exemption for licensed real estate brokers and salespersons assisting in short sale real estate transactions from mortgage broker licensing requirements.

- **Authored By:** Rep. David Knight of the 130th

- **House Committee:** Small Business Development

- **Rule:** Modified-Open

- **Yeas:** 162; **Nays:** 0

HB 83 - Mortgage broker licensing requirements; licensed real estate brokers and salespersons assisting in a short sale real estate transaction; exempt

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- **Authored By:** Rep. David Knight of the 130th

- **House Committee:** Banks & Banking

- **Rule:** Modified-Open

- **Yeas:** 162; **Nays:** 0

HB 161 - Trial juries; oath of bailiffs; change provisions

- BILL SUMMARY: HB 161 modernizes the oath of bailiffs and makes sure it applies to oaths given in all courts which hold jury trials. It removes antiquated language and tightens the oath by taking into consideration modern technology.

- **Authored By:** Rep. Alex Atwood of the 179th

- **House Committee:** Judiciary

- **Rule:** Modified-Open

- **Yeas:** 159; **Nays:** 3

HB 179 - Pharmacies; The Pharmacy Audit Bill of Rights; change certain provisions

- BILL SUMMARY: HB 179 amends the Pharmacy Audit Bill of Rights: There shall be no recoupment of the cost of drugs or medicinal supplies allowed given that they were properly dispensed; a pharmacy shall be allowed at least 30 days to correct any clerical errors found during an audit or to appeal said audit report if it is considered to be unfavorable.

- **Authored By:** Rep. Andrew J. Welch of the 110th

- **House Committee:** Insurance

- **Rule:** Modified-Structured

- **Yeas:** 161; **Nays:** 0

HB 274 - Game and fish; regulate practice of falconry

- BILL SUMMARY: HB 274 (LC 40 0286S)

Code Section 27-2-17 is repealed in its entirety and replaced with a new section.

In order to trap, take, transport, or possess raptors for falconry, one must first possess a valid falconry permit, in addition to any licenses and permits otherwise required.

For non-residents, in order to possess or transport raptors in this state, a valid falconry license or permit from his or her state, or place of residence, is required, provided that the state has been certified by the United States Fish and Wildlife Service.

They must also possess all licenses and permits required by this title.

A valid general or master level falconry license or permit from his or her state is required for any resident to trap, take, or attempt to trap or take a raptor from the wild in this state.

The department is responsible for providing necessary forms for falconry permits, as well as inspecting the applicant's housing facilities and equipment. The department has the right during reasonable times to enter the premises of persons subject to this Code to inspect and certify compliance with federal and state standards.

If this Code Section is satisfied, it is lawful for a falconer to take small game with raptors, so long as the individual observes all other laws regulating the taking of small game.

- **Authored By:** Rep. Jon Burns of the 159th

- **House Committee:** Game, Fish, & Parks

- **Rule:** Modified-Open

- **Yeas:** 165; **Nays:** 0

HB 312 - Insurance; regulating insurance holding company systems; provide comprehensive revision of provisions

- BILL SUMMARY: HB 312 is the annual "housekeeping" bill for the Insurance Department. It updates laws concerning holding companies in the State of Georgia so that they conform to standards set by the National Association of Insurance Commissioners. It is necessary for the Department to maintain its accreditation.

- **Authored By:** Rep. John Carson of the 46th

- **House Committee:** Insurance

- **Rule:** Modified-Open

- **Yeas:** 160; **Nays:** 0

**** The House will reconvene Monday, February 25, at 1:00 PM, for its 23rd Legislative Day.***

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 23rd Legislative Day, Monday, February 25, and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR

HB 70 - Special needs students; waiver of one of the scholarship requirements under certain conditions; provide

- BILL SUMMARY: House Bill 70 is relating to the scholarship program for special needs students. This bill makes changes to annual notification options available to parents of special needs children. The State Board of Education shall be authorized to require a local board of education to expedite the development of an Individualized Education Program (IEP) and to waive the prior school year requirement as a result of a child's medically fragile condition. The Board shall review these requests on a case by case basis. This bill also states when the quarterly payments should be made by.

- **Authored By:** Rep. Rich Golick of the 40th
- **House Committee:** Higher Education
- **House Committee Passed:** 2/19/2013
- **Rule:** Modified-Structured

HB 70 - Special needs students; waiver of one of the scholarship requirements under certain conditions; provide

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- **Authored By:** Rep. Rich Golick of the 40th
- **House Committee:** Education
- **House Committee Passed:** 2/19/2013
- **Rule:** Modified-Structured

HB 142 - Georgia Government Transparency and Campaign Finance Commission; change certain provisions

- BILL SUMMARY: This bill allows the Georgia Government Transparency and Campaign Finance Commission to adopt any rules and regulations necessary and appropriate except they cannot require the reporting or disclosure of more information than required by law.

The bill also prohibits lobbyists from making expenditures for tickets to admission to athletic, sporting, recreational, musical concert, or other entertainment events, unless consideration of equal or greater than face value is received. It also prohibits lobbyists from a reimbursement or payment of expenses for recreational or leisure activities.

A lobbyist can make expenditure for food and beverages to the House or Senate, standing committees and subcommittees, caucuses of members of the majority or minority political parties of the House or Senate and other approved caucuses. Also permissible are monetary fees and honorariums paid to a public officer for speaking engagements or participation in seminars, discussion panels or other activities which directly relate to the official duties of that public officer. It is permissible to reimburse or pay for actual and reasonable expenses for the member or support staff related to transportation except airfare, lodging, travel, registration, food, and beverages for attending meetings that directly relate to the office duties of a public officer. It is permissible to pay for admission for members of the General Assembly to a collegiate athletic event if the team is part of the University System of Georgia or a private university or college accredited in Georgia and the event is offered to all members of the General Assembly.

It defines "lobbyist" as someone for compensation or pro bono advocates a position or agenda on behalf of someone else at a state building, for the purpose of influencing the decision maker. The registration fee for a lobbyist is dropped from \$300 to \$25 and now includes an identification card.

An individual does not have to register as a lobbyist if he or she communicates personal views, interests or personal opinions to any public officer. An individual does not have to register if they are not paid to lobby and do it no more than 5 days in a year. If an individual is invited to appear before a committee and clearly identifies the interested party on whose behalf her or she is

testifying. If someone is required to register they cannot meet at a state building unless they are wearing their lobbyist badge.

- **Authored By:** Rep. David Ralston of the 7th
- **House Committee:** Rules
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Structured

HB 143 - Campaign contributions; disclosure reports; change certain provisions

- **BILL SUMMARY:** This bill changes the signing and filing requirements for candidates for county or municipal offices. Instead of filing them with the commission, candidates for county office will now file the required disclosure reports with the election superintendent in the county and candidates for municipal office will file the reports with the municipal clerk in the municipality or the chief executive officer of the municipality if there is no clerk.

It also requires that any contribution of more than \$100.00 received during the period beginning January 1st and ending the first day of session, must be reported to the commission within five business days of the start of session and also reported on the next regularly scheduled campaign contribution report.

In addition, any candidate for elected county office, member of a local board of education, or elected municipal office who provides written notice that they do not intend to accept nor make a combined total of expenditures exceeding \$2,500 in a calendar year does not have to file a report. If they end up exceeding \$2,500, but not \$5,000 they have to file the June 30th and October 25th reports. If they exceed \$5,000 they have to file all reports.

- **Authored By:** Rep. David Ralston of the 7th
- **House Committee:** Rules
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Structured

HB 175 - Covenants and warranties; certain covenants run with the land as a matter of public policy of this state; provide

- **BILL SUMMARY:** HB 175 states that a covenant runs with the title to land when a property owner and a third party agrees to it for no more than 20 years, and it is adequately described in the recorded instrument.

- **Authored By:** Rep. Dustin Hightower of the 68th
- **House Committee:** Judiciary
- **House Committee Passed:** 2/14/2013
- **Rule:** Modified-Open

HB 177 - Oconee River Greenway Authority; change the membership

- **BILL SUMMARY:** HB 177 amends the makeup of the Oconee River Greenway Authority by allowing no more than four (the current law requires exactly two) residents of each county which is in the geographic jurisdiction of the authority who have training or experience in biology, botany or environmental science and who shall be appointed by the chairperson of the governing authority of such county to serve on the authority.

- **Authored By:** Rep. Joe Wilkinson of the 52nd
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 2/14/2013
- **Rule:** Modified-Open

**** The Rules Committee will next meet on Monday, February 25, at 11:00 AM, to set the Rules Calendar for the 24th Legislative Day.***

COMMITTEE ACTION REPORT

Industry and Labor

HB 361 - Labor organizations membership; provide for definitions; provisions

- BILL SUMMARY: HB 361 reiterates that Georgia is a "right to work" state. It provides that no employer shall deduct from the wages or other earnings of any employee any fee assessment, or other sum of money whatsoever to be held for or to be paid over to a labor organization except on the annual written authorization from the employee which shall not exceed a period greater than one year. Such authorization may be revoked at any time at the request of the employee.

- **Authored By:** Rep. Edward Lindsey of the 54th

- **Committee Action:** Do Pass by Committee Substitute

Industry and Labor

HB 362 - Public works contracts; governmental entities and Department of Administrative Services; provide certain contracting and bidding requirements

- BILL SUMMARY: HB 362 provides that no state agency, authority, department, commission, board, or similar entity that contracts for public works construction shall require the use of unionized labor by the entities with which they contract.

- **Authored By:** Rep. Edward Lindsey of the 54th

- **Committee Action:** Do Pass

Industry and Labor

HB 393 - Georgia Workforce Investment Board; provide for powers and duties; provisions

- BILL SUMMARY: HB 393 aims to enumerate the powers and duties of the State Workforce investment Board; set a prioritization of service in addition to veterans and their spouses to add to those receiving unemployment compensation; defines entities who may act as a "fiscal agent/grant recipient"; codifies the role of the chief elected officials within the local workforce investment areas; mandates that local board set a quorum policy with a minimum 50 percent of board membership being present for meetings; set a clear conflict of interest policy for the local workforce boards so that members cannot hold contracts for services with the board in which they are asked to serve; establish contracting for services policy for local workforce areas; set sanctions for failing and non-performing local workforce areas in accordance with federal law; set a cap on supportive services as a percentage of total allotment provided to each local workforce area, and that supportive services must also have full documentation to each expenditure for each participant; provide the State Workforce Investment Board the authority to remove local workforce area board chairs and directors who are ineffective, not meeting performance standards, or having conflicts of interest; provide the State Workforce investment Board the authority to remove fiscal agents based on a lack of sound financial policies and recognized accounting standards; set an approval requirement for expenditures exceeding \$5,000 to a single vendor/sub-recipient/grantee in a local workforce area.

- **Authored By:** Rep. Mark Hamilton of the 24th

- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 364 - McDonough, City of; levy an excise tax

- BILL SUMMARY: A Bill to authorize the City of McDonough to levy a hotel/motel tax.

- **Authored By:** Rep. Brian Strickland of the 111th

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 376 - Hawkinsville, City of; levy an excise tax

- BILL SUMMARY: A Bill to authorize the City of Hawkinsville to levy a hotel/motel tax.

- **Authored By:** Rep. Buddy Harden of the 148th

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 383 - Warner Robins, City; revise qualifications for candidates for mayor and council

- BILL SUMMARY: A Bill to provide for the qualifications for candidates for mayor and council in the City of Warner Robins.
- **Authored By:** Rep. Larry O'Neal of the 146th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 410 - Macon-Bibb County Community Enhancement Authority; define category IV poverty area

- BILL SUMMARY: A Bill to amend the Act which created the Macon-Bibb County Community Enhancement Authority so as to define the terms "category IV poverty area," "benchmark county," and "less developed census tract area."
- **Authored By:** Rep. James Beverly of the 143rd
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 414 - Columbus, City of; "Redevelopment Powers Law"; provide referendum

- BILL SUMMARY: A Bill to authorize the consolidated government of Columbus/Muscogee County to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 415 - Columbus, City of; make certain stylistic changes to charter

- BILL SUMMARY: A Bill to amend the charter of Columbus/Muscogee County so as to provide for procedures for the creation or modification of service districts, to provide for redistricting, to provide appeals to State Court, to provide for special elections, to provide for petitions, to provide for the preparation of an annual operating and capital budget, to provide for the sale of any real property or public utility, and to provide for county agencies.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 416 - Columbus, City of; personnel review board; change certain provisions

- BILL SUMMARY: A Bill to amend the charter of Columbus/Muscogee County so as to provide for the powers and duties of the Personnel Review Board.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 417 - Columbus, City of; make certain stylistic changes to charter

- BILL SUMMARY: A Bill to amend the charter of Columbus/Muscogee County so as to provide for procedures for the creation or modification of service districts, to provide appeals to State Court, to provide for special elections, to provide for petitions, to provide for preparation of an annual operating and capital budget, to provide for the sale of any real property or public utility, and to provide for county agencies.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **Committee Action:** Do Pass

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Monday, February 25, 2013

TBD	Floor Session (LD23)	HOUSE CHAMBER (1:00pm)
9:00 AM - 10:30 AM	JUDICIARY NON-CIVIL	132 CAP
10:00 AM - 11:00 AM	Professions, Boards and Commissions Subcommittee of Regulated Industries	515 CLOB
10:00 AM - 12:00 PM	General Government Subcommittee of Governmental Affairs	506 CLOB
11:00 AM - 12:00 PM	RULES	341 CAP
11:00 AM - 12:00 PM	AGRICULTURE & CONSUMER AFFAIRS	403 CAP
11:00 AM - 12:00 PM	Jacobs Subcommittee (Two) of Judiciary Civil	132 CAP
11:30 AM - 12:30 PM	Sales Tax Subcommittee of Ways & Means	133 CAP
3:00 PM - 4:00 PM	Environmental Quality Subcommittee of Natural Resources	403 CAP
3:00 PM - 5:00 PM	HEALTH & HUMAN SERVICES	606 CLOB
3:00 PM - 4:30 PM	Setzler Subcommittee of Judiciary Non-Civil	132 CAP
3:00 PM - 5:00 PM	JUVENILE JUSTICE	506 CLOB
4:00 PM - 5:00 PM	ETHICS	406 CLOB
4:00 PM - 5:00 PM	Resource Management Subcommittee of Natural Resources	403 CAP

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*